IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Bail Appl..No. 7111 of 2006()

CMP.9499/2006 of J.M.F.C.-III, PUNALUR
CRIME NO.103/06 OF PATHANAPURAM EXCISE RANGE.

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: PETITIONER/ACCUSED NO.1:

ANILKUMAR @ KANNAN, AGED 30 YEARS,
S/O. SUKUMARA PILLAI, KALLOORKONATHU VEEDU,
POREDOM, CHADAYAMANGALAM.

BY ADV. SRI.P.K.REJITH KUMAR
SRI.A.C.DEVY

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION No.7111 OF 2006

DATED THIS THE 1ST DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the first accused in Crime No.103/06 of Pathanapuram Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act, for having been found in possession of 210 litres of spirit on 26.10.2006, seeks his enlargement on bail. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-